

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Kenneth R. Preston,

Plaintiff,

v.

Case No. 1:05cv173

John Alden Life Insurance Company, *et al.*,

Judge Michael R. Barrett

Defendants

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed June 26, 2006 (Doc. 30).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Plaintiff's Motion to Reverse (Doc. 20) is denied; Defendants' Motions to Uphold the Administrative Decision (Docs. 21 & 22) are granted; this matter is closed.

**IT IS SO ORDERED.**

/s/ Michael R. Barrett

Michael R. Barrett, Judge  
United States District Court